

**DURHAM, NORTH CAROLINA
MONDAY, JUNE 16, 2003
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Excused Absence: Mayor Pro Tempore Cheek.

Also present: City Manager Marcia L. Conner, City Attorney Henry Blinder, City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Bell called the meeting to order with the Pledge of Allegiance.

SUBJECT: EXCUSED ABSENCE – MAYOR PRO TEMPORE CHEEK

MOTION by Council Member Clement seconded by Council Member Stith to excuse Mayor Pro Tempore Cheek from the meeting was approved at 7:05 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Mayor Bell presented City Council with the *Lead Safe Kids Safe* Award received during the U S Conference of Mayors meeting in Denver and noted the City is being awarded \$100,000 for this initiative sponsored by U S Conference of Mayors and Dupont.

Mayor Bell asked the City Manager, City Attorney and City Clerk for priority items. City Manager Conner requested the following items be added to the agenda: 1) Land Lease Agreement Amendment – NC Museum of Life and Science; 2) Adult and Dislocated Worker Amendment – Employment Security Commission; 3) Contract Extension – Capitol Link, Inc.; 4) Contract with North Carolina Central University, Department of Health Education – Technology Education Services; 5) Amendment to Consent Agenda Item #10 (Contracts) – Adding S&W Productions for Fire Works; and 6) Transfer of \$2,200 to Sister Cities of Durham.

MOTION by Council Member Stith seconded by Council Member Clement to add the City Manager's priority items to the agenda was approved at 7:09 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

City Attorney Blinder announced that Assistant City Attorney Patrick Baker has been elected President of the Durham County Bar Association for 2003-04.

There were no priority items from the City Clerk.

Assistant City Manager Ted Voorhees informed Council that the Sage and Swift site plan will be on the agenda for the July 24, 2003 Special City Council Meeting.

June 16, 2003

Council Member Cole-McFadden urged Council to pause for a moment of silent meditation reflecting on the budget process thus far and where Council needs to go to be sensitive to the needs of the residents of this community.

Mayor Bell asked if any citizen(s) or council member(s) wanted to pull any items from the Consent Agenda. Consent Agenda Items 10 [Contracts], 33 [Sale of City-Owned Property at Broadway, Hunt and Mangum Streets], 36 [Transit Advertising Services], 46 [Update on John Avery Boys & Girls Club – Birchwood Community Center] 47 [Update on Rolling Hills] and 53 [Durham Community Land Trustees] were pulled from the Consent Agenda.

MOTION by Council Member Stith seconded by Council Member Best to approve the Consent Agenda as amended was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

[CONSENT AGENDA]

SUBJECT: CITY COUNCIL MINUTES – CITY CLERK’S OFFICE

MOTION by Council Member Stith seconded by Council Member Best to approve the City Council minutes for the following meetings was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

May 5, 2003 - Regular Meeting
May 19, 2003 - Regular Meeting
May 19, 2003 - Special Meeting

MOTION by Council Member Stith seconded by Council Member Best to approve City Council action taken at the April 10, 2003, April 24, 2003, May 8, 2003 and May 22, 2003 Work Sessions was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: RESOLUTION FIXING THE AMOUNT OF THE REQUIRED
FILING FEES FOR CANDIDATES TO MUNICIPAL OFFICE IN
THE CITY OF DURHAM**

MOTION by Council Member Stith seconded by Council Member Best to adopt a "Resolution Fixing the Amount of the Required Filing Fees for Candidates to Municipal Office in the City of Durham" was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Resolution #9010

June 16, 2003

SUBJECT: RECREATION ADVISORY COMMITTEE - APPOINTMENT

MOTION by Council Member Stith seconded by Council Member Best to appoint Ronald Rafael McDaniel to fill one (1) vacancy with term expiring August 8, 2003 was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: DURHAM PLANNING COMMISSION - APPOINTMENT

To appoint a citizen to fill one (1) vacancy for District 6. The term will expire June 30, 2006.

MOTION by Council Member Stith seconded by Council Member Best to refer this item to the July 24, 2003 City Council Work Session was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: HUMAN RELATIONS COMMISSION - RECEIPT AND
ACCEPTANCE OF APPLICATIONS - APPOINTMENTS**

MOTION by Council Member Stith seconded by Council Member Best to receive and accept applications for citizens to fill one (1) Minority Member Male vacancy and one (1) Minority Member Female vacancy with terms expiring June 30, 2006; and

To reappoint Harvey L. McMurray for a Minority Member Male vacancy and to appoint Libria R. Stephens for a Minority Member Female vacancy with terms expiring June 30, 2006 was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: HOUSING APPEALS BOARD - RECEIPT AND ACCEPTANCE OF
APPLICATIONS**

MOTION by Council Member Stith seconded by Council Member Best to receive and accept applications for citizens to fill one (1) Regular Member vacancy to represent Residence Owner and one (1) Alternate Member vacancy to represent Landlord with terms expiring June 30, 2006 was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: DURHAM AREA TRANSIT AUTHORITY - MAYOR'S NOMINEE

June 16, 2003

FOR APPOINTMENT

MOTION by Council Member Stith seconded by Council Member Best to approve the Mayor's nomination of Rita Gregory for appointment to the Durham Area Transit Authority for a term to expire March 1, 2005 was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: AUDIT SERVICES OVERSIGHT COMMITTEE - RECEIPT AND
ACCEPTANCE OF APPLICATIONS**

MOTION by Council Member Stith seconded by Council Member Best to receive and accept applications for a citizen to fill one (1) vacancy representing the Business Community (a Certified Public Accountant) with term expiring July 3, 2007 was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: BIDS - ELEVATOR MAINTENANCE SERVICE - TRIANGLE
ELEVATOR SERVICE**

MOTION by Council Member Stith seconded by Council Member Best to recommend acceptance of the bid from Triangle Elevator Service, in the amount of \$82,632 for providing the City with Elevator Maintenance Service; and

To authorize the City Manager to enter into a contract with Triangle Elevator Maintenance Service, in the amount of \$82,632 for providing the City with Elevator Maintenance Service; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: CONTRACT EXTENSION - ESTIMATED ANNUAL
REQUIREMENTS FOR LIQUID FERRIC CHLORIDE - PVS
TECHNOLOGIES, INC.**

MOTION by Council Member Stith seconded by Council Member Best to extend the contract from PVS Technologies, Inc., in the amount of \$172,900 for providing the City with its Estimated Annual Requirements for Liquid Ferric Chloride; and

To authorize the City Manager to enter into a contract extension with PVS Technologies,

June 16, 2003

Inc., in the amount of \$172,900 for providing the City with its Estimated Annual Requirements for Liquid Ferric Chloride; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: BID REPORT – MARCH 2003

MOTION by Council Member Stith seconded by Council Member Best to approve and record in the minutes the following bids which were acted upon by the City Manager during the month of March 2003 was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

CITY OF DURHAM NORTH CAROLINA

May 21, 2003

MEMO TO: Marcia L. Conner, City Manager

THROUGH: Kenneth C. Pennoyer, Acting Finance Director

FROM: Joseph W. Clark, Purchasing Manager

SUBJECT: Bid Report

To approve and record in the minutes bids which were acted upon by the City Manager during the month of March 2003.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

1. **Bid: 3M Detector Loop Sealant (48 cases)**

Purpose of Bid: To provide the Traffic Signal Division with detector loop sealant. Detector Loop Sealant is used at street intersections to cover the traffic light sensors that are imbedded in the road.

Comments: Temple, Inc., is the sole regional source for 3M Traffic Control Materials

Opened: March 3, 2003

Bidders: Temple, Inc. * \$12,760.00
Cornelius, NC 28301

*Awarded based on: _____ Low Bid X Other (See Comments)

June 16, 2003

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	50		# Black Males	5	10%
Total # Females	18	36%	# White Males	26	52%
Total # Males	32	64%	# Other Males	1	2%
			# Black Females	1	2%
			# White Females	15	30%
			# Other Females	2	4%

Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

2. Bid: Police EIS Server Upgrade Maintenance Agreement

Purpose of Bid:

Comments: H T E is the sole source to provide this maintenance for the Police Department.

Opened: March 17, 2003

Bidders: H T E, Inc. *\$15,485.00
 Lake Mary, Fl

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	522		# Black Males	15	03%
Total # Females	237	45%	# White Males	238	45%
Total # Males	285	55%	# Other Males	32	06%
			# Black Females	16	03%
			# White Females	196	38%
			# Other Females	25	05%

Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (*).

JWC:lm

SUBJECT: BID REPORT – APRIL 2003

MOTION by Council Member Stith seconded by Council Member Best to approve and

June 16, 2003

record in the minutes the following bids which were acted upon by the City Manager during the month of April 2003 was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

CITY OF DURHAM NORTH CAROLINA

May 21, 2003

MEMO TO: Marcia L. Conner, City Manager

THROUGH: Kenneth C. Pennoyer, Acting Finance Director

FROM: Joseph W. Clark, Purchasing Manager

SUBJECT: Bid Report

To approve and record in the minutes bids which were acted upon by the City Manager during the month of April 2003.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

1. Bid: Service Truck

Purpose of Bid: To purchase a service truck for the Solid Waste Management Department.

Comments:

Opened: March 25, 2003

Bidders:	University Ford	* \$63,329.00
	Durham, NC	
	Tri-Point Sterling Trucks	\$67,945.98
	Raleigh, NC	

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	128		# Black Males	22	18%
Total # Females	18	14%	# White Males	85	66%
Total # Males	110	86%	# Other Males	3	02%
			# Black Females	3	02%
			# White Females	15	12%
			# Other Females	0	00%

June 16, 2003

Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

2. **Bid:** **Construct 350 L.F. of 24" curb and gutter**

Purpose of Bid: Curb and gutter at the Transfer Station

Comments:

Opened: April 1, 2003

Bidders:	Holmes Contracting	* \$10,536.00
	Cary, NC	
	Leathers Construction	\$13,798.00
	Durham, NC	
	Pothole Specialists	\$20,455.00
	Durham, NC	

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	6		# Black Males	4	67%
Total # Females	0	0%	# White Males	0	00%
Total # Males	6	100%	# Other Males	2	33%
			# Black Females	0	00%
			# White Females	0	00%
			# Other Females	0	00%

Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

3. **Bid:** **King Arthur Round Tables for the Durham Marriott Hotel and Civic Center**

Purpose of Bid: To purchase (75) king arthur round tables

Comments:

Opened: March 20, 2003

Bidders:	US Foodservice	*\$15,394.84
	Raleigh, NC	
	Edward Don & Company	\$15,419.76
	Norcross, GA	

June 16, 2003

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	29,662		# Black Males	3,880	13%
Total # Females	5,625	19%	# White Males	17,677	60%
Total # Males	24,037	81%	# Other Males	2,480	08%
			# Black Females	555	02%
			# White Females	4,745	16%
			# Other Females	325	01%

LOCATION OF PERFORMING CONTRACT
Zebulon, NC

Total Workforce	524		# Black Males	184	35%
Total # Females	96	18%	# White Males	236	45%
Total # Males	428	82%	# Other Males	8	02%
			# Black Females	22	04%
			# White Females	71	14%
			# Other Females	3	01%

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

4. Bid: Meeting Room Chairs (100 each)

Purpose of Bid: To purchase meeting room chairs for the Durham Marriott
Hotel/Civic Center Hotel

Comments: These chairs were purchased to match the existing chairs used in
the meeting rooms at the Durham Marriott Hotel/Civic Center.

Opened: April 10, 2003

Bidders: Bull City Rug and Interiors *\$13,800.00
 Durham, NC

*Awarded based on: ☐ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	14		# Black Males	1	08%
Total # Females	6	43%	# White Males	7	50%

June 16, 2003

Total # Males	8	57%	# Other Males	0	00%
			# Black Females	0	00%
			# White Females	6	42%
			# Other Females	0	00%

Performance Bond: ☐ Waived ☒ Not Waived ☐ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

5. Bid: Smith & Wesson Pistols

Purpose of Bid: To purchase (100 each) Smith & Wesson Pistols with the Trade-In of (87) Smith & Wesson Model 457 for the Police Department

Comments:

Opened: April 11, 2003

Bidders:	Lawmen's Safety	*\$30,885.00
	Raleigh, NC	
	Southern Public Safety	\$32,474.39
	Greensboro, NC	

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	23		# Black Males	0	00%
Total # Females	13	56%	# White Males	10	44%
Total # Males	10	44%	# Other Males	0	00%
			# Black Females	0	00%
			# White Females	13	56%
			# Other Females	0	00%

LOCATION OF PERFORMING CONTRACT
Raleigh, NC

Total Workforce	18		# Black Males	0	00%
Total # Females	10	56%	# White Males	8	44%
Total # Males	8	44%	# Other Males	0	00%
			# Black Females	0	00%
			# White Females	10	56%
			# Other Females	0	00%

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

June 16, 2003

The M/WBE Data Base was used in the solicitation of bids for this item.

6. Bid: Installation of Fence at Pineywood Dog Park

Purpose of Bid:

Comments:

Opened: April 3, 2003

Bidders:	Seegars Fence Company	* \$20,371.00
	Raleigh, NC	
	Fortress Fencing	\$21,067.00
	Chapel Hill, NC	
	Dickerson Fencing	\$28,455.00
	Durham, NC	

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	23		# Black Males	3	13%
Total # Females	2	09%	# White Males	6	26%
Total # Males	21	91%	# Other Males	12	52%
			# Black Females	0	00%
			# White Females	2	09%
			# Other Females	0	00%

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

7. Bid: Landscape Maintenance and Grass Mowing at the Durham Fire Administrative Building Academy, Garage and Training Grounds

Purpose of Bid: To provide (24) months of landscape maintenance and grass mowing at the Durham Fire Administrative Building Academy, Garage and Training Grounds.

Comments:

Opened: April 11, 2003

Bidders:	Tarheel Lawn & Building Maintenance	*\$20,400.00
	Raleigh, NC	
	DJ's Lawn Service	\$29,952.00

June 16, 2003

Durham, NC	
Randy's Cut & Trim	\$31,200.00
Graham, NC	
Southwood Landscaping	\$40,800.00
Durham, NC	
Complete Lawn Care	\$53,961.60
Durham, NC	

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	13		# Black Males	3	23%
Total # Females	6	46%	# White Males	0	00%
Total # Males	7	54%	# Other Males	4	31%
			# Black Females	6	46%
			# White Females	0	00%
			# Other Females	0	00%

LOCATION OF PERFORMING CONTRACT
Raleigh, NC

Total Workforce	7		# Black Males	2	29%
Total # Females	1	14%	# White Males	0	00%
Total # Males	6	86%	# Other Males	4	57%
			# Black Females	1	14%
			# White Females	0	00%
			# Other Females	0	00%

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (*).

JWC:lm

SUBJECT: JANITORIAL SERVICES FOR THE DOMESTIC VIOLENCE DIVISION AND FOUR DURHAM POLICE SUBSTATIONS - TWO (2) YEARS REQUIREMENTS - JAN-PRO CLEANING SYSTEMS – CARR JANITORIAL SERVICE - JBQ ENTERPRISES DBA JANIKING - QUALITY JANITOR SERVICE

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to enter into contracts with Jan-Pro Cleaning Systems of Raleigh, NC in

June 16, 2003

the amount of \$49,296 for District 1 Substation; Carr Janitorial Service of Durham, NC in the amount of \$48,000 for District 2 Substation; JBQ Enterprises dba Jani-King of Durham, NC in the amount of \$49,200 for District 3 Substation; Quality Janitor Service of Durham in the amount of \$36,267 for District 4 Substation; and Quality Janitor Service of Durham in the amount of \$23,923 for the Domestic Violence Division for providing janitorial service; and

To authorize the City Manager to modify the contracts before execution provided that modifications do not increase the dollar amount of the contracts and the modifications are consistent with the general intent of the existing version of the contracts was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: CONTRACT EXTENSION-ESTIMATED ANNUAL REQUIREMENTS FOR REFUSE AND YARD WASTE COLLECTION CARTS - CASCADE ENGINEERING, INC.

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to enter into a contract extension with Cascade Engineering, Inc., in the amount of \$182,500, for providing the City with its Estimated Annual Requirements for Refuse and Yard Waste Collection Carts; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: BIDS – FURNISH AND INSTALL A REPLACEMENT ENGINE AT THE SOUTH DURHAM WATER RECLAMATION FACILITY (SDWRF) – BOLTON CORPORATION

MOTION by Council Member Stith seconded by Council Member Best to accept the bid from the Bolton Corporation, in the amount of \$346,971 for Furnishing and Installing a Replacement Engine at the SDWRF; and

To authorize the City Manager to enter into a contract with the Bolton Corporation, in the amount of \$346,971 for Furnishing and Installing a Replacement Engine at the SDWRF; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best,

June 16, 2003

Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: PURCHASE GANG-NET SOFTWARE - ORION SCIENTIFIC SYSTEMS – DURHAM COUNTY SHERIFF’S OFFICE

MOTION by Council Member Stith seconded by Council Member Best to purchase the Gang-Net Software from Orion Scientific Systems, a sole source provider, for a sum of \$35,000; and

To authorize the City Manager to sign the Inter-Local Agreement between the City of Durham and Durham County Sheriff’s Office for the future use of Gang-Net software was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: STOP SIGN - DOVETAIL DRIVE

MOTION by Council Member Stith seconded by Council Member Best to adopt an ordinance to repeal Ordinance #12486(c), adopted January 22, 2002, authorizing the installation of a stop sign on Dovetail Drive at Panther Creek Court, east corner; and

To adopt an ordinance to authorize the installation of a stop sign at Dovetail Drive at Mortise Court, east corner was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Ordinance #s 12808 - 12809

SUBJECT: ON-STREET PARKING

MOTION by Council Member Stith seconded by Council Member Best to adopt an ordinance to repeal the following ordinances was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

1. Ordinance #7594 (l), adopted July 25, 1988, prohibiting parking on the west side of Willard Street in the area beginning at a point 527 feet south of the south curb line of Yancey Street, if extended, and extending to the west curb line of Blackwell Street; and
2. Ordinance #10949, adopted October 21, 1996, prohibiting parking on the east side of Willard Street in the area between Chapel Hill Street and Jackson Street; and
3. Ordinance #12092, adopted October 16, 2000, prohibiting parking on the north side of Jackson Street in the area beginning at the east curb line of Ashton Place, if extended, and extending for a distance of 190 feet eastward; and

June 16, 2003

4. Ordinance #2657, adopted December 4, 1967, prohibiting parking on the north side of Jackson Street in the area between Willard Street and Ashton Place; and
5. Ordinance #1427, adopted September 19, 1955, prohibiting parking on the east side of Ashton Place in the area beginning at a point 180 feet north of the north curb line of Jackson Street, if extended, and running in a northerly direction along the east curb line of Ashton Place for a distance of 56 feet; and
6. Ordinance #1896, adopted November 21, 1960, prohibiting parking on the east side of Ashton Place between Jackson Street and Pettigrew Street; and
7. Ordinance #2659, adopted December 4, 1967, prohibiting parking on either the east or west sides of Ashton Place in the area north of Jackson Street.

Ordinance #12810

MOTION by Council Member Stith seconded by Council Member Best to adopt an ordinance prohibiting parking at any time was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

1. On the west side of Willard Street in the area beginning at a point 535 feet south of the south curb line of Yancey Street, if extended, and extending for a distance of 80 feet southward; and
2. On the south side of Jackie Robinson Drive in the area beginning at a point 1030 feet south of the south curb line of Yancey Street, if extended, and extending southwestward to the west curb line of Blackwell Street; and
3. On the east side of Willard Street in the area beginning at the south curb line of Chapel Hill Street, if extended, and extending for a distance of 125 feet southward; and
4. On the east side of Willard Street in the area beginning at a point 213 feet south of the south curb line of Chapel Hill Street, if extended, and extending southward to the north curb line of Jackson Street; and
5. On the north side of Jackson Street in the area beginning at the east curb line of Willard Street, if extended, and extending for a distance of 50 feet eastward; and
6. On the east side of Ashton Place in the area beginning at the north curb line of Jackson Street, if extended, and extending for a distance of 50 feet northward; and
7. On the east side of Ashton Place in the area beginning at a point 94 feet north of the north curb line of Jackson St., if extended, and extending for a distance of 215 feet in a counterclockwise direction around the cul-de-sac.

Ordinance #12811

SUBJECT: STREET ACCEPTANCE - CARPENTER POINTE AND LANDON FARMS - PHASE I

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to accept certain streets in Carpenter Pointe and Landon Farms, Phase I, for maintenance by the City of Durham was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and

June 16, 2003

Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Carpenter Pointe

Dovetail Drive – from the north ditch line of Carpenter Road north to the centerline of Panther Creek Court (1,228’); and

Panther Creek Court – from the centerline of Dovetail Drive north thru the cul-de-sac (152’); and

Panther Creek Court – from the centerline of Dovetail Drive south to the end of construction @ STA 14+52.05 (377’); and

Renovators Place – from the centerline of Dovetail Drive east to the end of construction @ STA 12+00 (200’.)

Landon Farms – Phase I

Landon Farms Lane – from the west curb line of Geer Street west past Buffalo Way to the end of construction @ STA 4+45.46 (430’); and

Great Bend Drive – from the centerline of Buffalo Way northeast to the end of construction @ STA 2+68.81 (169’); and

Buffalo Way – from the centerline of Landon Farms Lane east to STA 8+78.86 (121’); and

Buffalo Way – from the centerline of Landon Farms Lane west to the end of construction @ STA 24+78.49 (1,478.)

SUBJECT: WATER & SEWER EXTENSION AGREEMENT WITH AB-TAK III INC. – CURRIN PROPERTY

To authorize the City Manager to enter into a water and sewer extension agreement with AB-TAK III Inc. to serve Currin Property.

MOTION by Council Member Stith seconded by Council Member Best to refer this item back to the administration was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Member Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: SEWER EXTENSION AGREEMENT WITH RIDGECREST BAPTIST CHURCH, INC. – RIDGECREST BAPTIST CHURCH

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to enter into a sewer extension agreement with Ridgecrest Baptist Church, Inc. to serve Ridgecrest Baptist Church was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: SETTING PUBLIC HEARING TO CONSIDER ORDERING PETITIONED IMPROVEMENTS – EDGERTON DRIVE – COOK

June 16, 2003

ROAD – BROACH ROAD

MOTION by Council Member Stith seconded by Council Member Best to accept a certificate of sufficiency from the Manager of Engineering for each of the following petitions; and

To adopt a resolution setting a public hearing for August 4, 2003 to consider ordering each of the following improvements was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Curb, Gutter and Paving, Water Main and Water and Sewer Laterals on Edgerton Drive from Ed Cook Road to the West Property Line of Tax Map 566-3-23;

Sewer Main on Cook Road from Harmony Road to Juliette Drive;

Sewer Main on Broach Road from Pennock Road to Mockingbird Lane.

SUBJECT: WATER & SEWER EXTENSION AGREEMENT WITH RHEIN INTERESTS OF RALEIGH, LLC – TRENTON ROAD SUBDIVISION

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to enter into a water and sewer extension agreement with Rhein Interests of Raleigh, LLC to serve Trenton Road Subdivision was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: LICENSE AGREEMENT WITH CSX TRANSPORTATION, INC. – BORDEN INDUSTRIAL PARK

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to execute a standard license agreement between CSX Transportation, Inc. and City of Durham concerning a 12-inch waterline, located at Milepost SB-152.73 (to serve Borden Industrial Park) was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: AMENDMENT #4 - AGREEMENT BETWEEN THE TRIANGLE AREA WATER SUPPLY MONITORING PROJECT STEERING COMMITTEE AND TRIANGLE J COUNCIL OF GOVERNMENTS REGARDING THE OVERALL MANAGEMENT OF THE WATER QUALITY MONITORING PROJECT

June 16, 2003

MOTION by Council Member Stith seconded by Council Member Best to adopt a resolution amending the interlocal agreement for participation in Phase V of the Triangle Area Water Supply Monitoring Project; and

To authorize the City Manager to execute the agreement was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Note: In lieu of a resolution, a contract amending the Interlocal Agreement was approved with the Counties of Chatham, Orange and Wake; Towns of Apex, Cary, Hillsborough, Morrisville and Orange Water and Sewer Authority (OWSA).

**SUBJECT: AMENDMENT #3 - CONTRACT FOR TRANSPORTATION
AND DISPOSAL OF SOLID WASTE AND OPERATION OF
TRANSFER STATION - BROWNING FERRIS INCORPORATED
(BFI)**

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to execute an amendment to the existing contract with Browning Ferris Incorporated to partially assign the right to receive payment; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by City Council was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: EAST END PARK LICENSE AGREEMENT AND THE SITE AND
ACCESS, RELEASE, INDEMNITY AGREEMENT
BETWEEN PUBLIC SERVICE COMPANY OF NORTH
CAROLINA, INC. AND THE CITY OF DURHAM WITH TWO
NEW AGREEMENTS**

MOTION by Council Member Stith seconded by Council Member Best to approve the replacement of the East End Park License Agreement and the Site Access, Release, and Indemnity Agreement between Public Service Company of North Carolina, Inc. and the City of Durham with two new agreements, the East End Park License Agreement and the Site Access, Release, and Indemnity Agreement; and

To authorize the City Manager to make any changes she deems appropriate and execute any other implementation documents, provided such changes and documents are consistent with the intent and purpose of the agreements was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore

June 16, 2003

Cheek.

**SUBJECT: RIGHT OF ENTRY AGREEMENT BETWEEN THE CITY OF
DURHAM AND TRIANGLE RAILS TO TRAILS CONSERVANCY
– PHASE E OF AMERICAN TOBACCO TRAIL**

MOTION by Council Member Stith seconded by Council Member Best to approve the Right of Entry Agreement with Triangle Rails To Trails Conservancy to construct Phase E of the American Tobacco Trail; and

To authorize the City Manager to execute the Agreement and to extend the agreement for an additional six (6) months upon the written request of Triangle Rails To Trails Conservancy was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: WILD BUILDING CONTRACTORS, INC. - CONTRACT FOR
CONSTRUCTION OF THE DATA OPERATIONS,
MAINTENANCE AND ADMINISTRATION FACILITY - FAY
STREET**

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to execute a contract with Wild Building Contractors, Inc. in an amount not to exceed \$7,443,000 plus a contingency of \$750,000 for a total of \$8,193,000 for construction services to build the DATA Operations, Maintenance and Administration Facility on Fay Street; and

To authorize the City Manager to make changes to the contract before execution as long as the changes do not increase the dollar amount of the contract and remain consistent with the general intent of the contract was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: CITYSCAPE MAINTENANCE GROUP CONTRACT
AMENDMENT - USA BASEBALL - DURHAM BULLS ATHLETIC
PARK**

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to amend the contract with CityScape Maintenance Group for an amount not to exceed \$78,379 to include cleaning before and after each USA Baseball game played in the Durham Bulls Athletic Park, consistent with the scope of work specified in the existing contract; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent

June 16, 2003

with the general intent of the version of the contract approved by City Council was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: CONTRACT MR-1-RESIDENTIAL WATER METER
REPLACEMENT - THIELSCH ENGINEERING DBA ALCO
ENGINEERING**

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to execute a contract with Thielsch Engineering in the amount of \$464,224 for the replacement of approximately 11,468 water meters; and

To authorize the City Manager to make changes to the contract before execution as long as the changes do not increase the dollar amount and remain consistent with the general intent of the contract was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: CONTRACT ST-219 STREET RESURFACING – B & B PAVING
COMPANY, INC.**

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to execute a contract with B & B Paving Company, Incorporated in the amount of \$1,303,487; and

To authorize the City Manager to make changes to the contract before execution as long as the changes do not increase the dollar amount and remain consistent with the general intent of the contract was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: RAILROAD CROSSING IMPROVEMENTS FOR RAMSEUR
STREET AT PETTIGREW/GRANT INTERSECTION, CROSSING
NUMBER 630 474Y, MILEPOST 55.90 - NORFOLK SOUTHERN
RAILWAY COMPANY, NORTH CAROLINA RAILROAD
COMPANY, AND NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION (NCDOT)**

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to enter into a municipal agreement with the Norfolk Southern Railway Company, the North Carolina Railroad Company, and the North Carolina Department of Transportation for the design, installation, and maintenance of railroad crossing warning devices at Ramseur Street near Pettigrew Street; and

June 16, 2003

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by the City Council was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: RAILROAD GRADE CROSSING IMPROVEMENTS FOR MANGUM STREET BETWEEN RAMSEUR AND PETTIGREW, MILEPOST 55.14 - NORFOLK SOUTHERN RAILWAY COMPANY, NORTH CAROLINA RAILROAD COMPANY AND NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT)

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to enter into a municipal agreement with the Norfolk Southern Railway Company, the North Carolina Railroad Company and the North Carolina Department of Transportation for the design, installation, and maintenance of an at grade concrete railroad crossing on Mangum Street between Ramseur Street and Pettigrew Street; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by the City Council was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: N.C. DEPARTMENT OF TRANSPORTATION SMALL URBAN PROGRAM PROJECT PRIORITY LIST

MOTION by Council Member Stith seconded by Council Member Best to endorse the priority ordered list of Proposed Small Urban Program Projects provided in Table 2 and direct the administration to forward the list to the Division 5 Board of Transportation Member for funding consideration was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**Table 2
Recommended Small Urban Program Projects - 2003**

Priority Number	Project Location	Project Description	Estimated Cost
1.	NC 54/NC 751	Pedestrian signals & sidewalk	\$106,000

June 16, 2003

2.	Fayetteville St. (SR 1118) & Buxton Dr. & Riddle Rd. (SR 1171)	Realign intersection	\$600,000 (\$300,000 of additional funding needed)
3.	NC 54/Farrington/ Falconbridge/Huntingridge/ Celeste Circle	Construct restrictive island, additional lane, and traffic signal	\$105,000
4.	MLK Jr. Parkway & Cook Rd.	Install traffic signal with metal poles & mast arms	\$150,000
5.	Roxboro St. (US 501 Bus.), Mangum St., & Markham Ave.	Install raised islands, curb & gutter, sidewalk, & revise pavement markings	\$70,000
6.	Duke St. & Gregson St.	Trinity Park traffic calming measures	\$300,000
7.	Sedwick Rd.	Parkwood traffic calming measures	\$300,000
8.	Geer St. (SR 1670) & Cheek Rd. (SR 1800)	Install roundabout	\$160,000
9.	Barbee Rd. (SR 1106) & Herndon Rd. (SR 1104/1105)	Intersection Improvements	\$160,000
10.	SR 2220 (Old Chapel Hill Rd.) & Pope Rd.	Intersection improvements	\$150,000
11.	US 70 (Hillsborough Rd.) & SR 1314 (Neal Rd.)	Intersection improvements	\$20,000

SUBJECT: TRINITY PARK TRAFFIC CALMING STUDY – DUKE AND GREGSON STREETS

MOTION by Council Member Stith seconded by Council Member Best to receive the Trinity Park Traffic Calming Study and direct the City Manager to proceed with the phased implementation of the study recommendations subject to availability of funds and to seek funding from NCDOT for improvements to Duke and Gregson Streets was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: PARKWOOD TRAFFIC CALMING STUDY – SEDWICK ROAD

MOTION by Council Member Stith seconded by Council Member Best to receive the Parkwood Traffic Calming Study and direct the City Manager to proceed with the phased implementation of the study recommendations subject to the availability of funds and to seek funding from NCDOT for improvements on Sedwick Road was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement,

June 16, 2003

Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: USE OF VARIABLE TO FIXED RATE SWAP TRANSACTION

MOTION by Council Member Stith seconded by Council Member Best to accept a report on the proposed use of a variable to fixed rate swap for the American Tobacco Project certificates of participation was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: UPDATE ON CABLE TV FRANCHISE NEGOTIATIONS

MOTION by Council Member Stith seconded by Council Member Best to receive a presentation on an update on Cable TV Franchise Negotiations was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: PAC BEAT – HOUSE OF REFUGE – FELICIA MCNEIL

MOTION by Council Member Stith seconded by Council Member Best to receive comments from Felicia McNeil on City management was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: RALPH M. MCKINNEY, JR.

MOTION by Council Member Stith seconded by Council Member Best to receive comments from Ralph M. McKinney, Jr. on leadership in Durham was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: SALE OF PORTION OF CITY TRACT #1159 (PIN #0812-07-67-5854) TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION STATE PROJECT 8.T351203, ID# I-306C

MOTION by Council Member Stith seconded by Council Member Best to accept NCDOT's offer of \$245,400 to purchase .66 acres for right-of-way, 4,230 square foot for a permanent drainage easement and 3.84 acres for a temporary construction easement across City Tract #1159 (PIN #0812-07-67-5854, Parcel Reference #124883, Old Tax

June 16, 2003

Map #281-01-001); and

To authorize the Mayor to execute the deed conveying the required property to NCDOT was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: PROJECT MANAGEMENT/BARNES AVENUE INITIATIVE
BREE AND ASSOCIATES - NEIGHBORING CONCEPTS**

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to negotiate and enter into a contract with Bree and Associates to provide project management services for the Barnes Avenue Initiative in an amount not to exceed \$300,000; and

To authorize the City Manager to negotiate and enter into a contract amendment with Neighboring Concepts to provide architectural and development services for the Barnes Avenue Initiative in an amount not to exceed \$300,000; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by the City Council was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: RALEIGH-DURHAM AIRPORT AUTHORITY (RDU) – TAXICAB
CONCERNS AND ISSUES**

To discuss taxicab operations and other issues at the Raleigh-Durham Airport Authority (RDU).

Note: A report was received at the 6/5/03 Work Session

**SUBJECT: TAX COLLECTION INTERLOCAL AGREEMENT – DURHAM
COUNTY**

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to enter into an agreement with Durham County to extend the existing Inter-local Tax Collection Agreement with Durham County until July 1, 2004 under the existing terms, with minor modifications was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

June 16, 2003

**SUBJECT: SUBRECIPIENT AGREEMENT WITH OPERATION
BREAKTHROUGH - PRE-SCHOOL AND PARENTING
EDUCATIONAL TECHNOLOGY IMPROVEMENTS**

MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to execute a contract with Operation Breakthrough in the maximum amount of \$35,000 for pre-school and parenting educational technology improvements; and

To authorize the City Manager the expenditure of \$35,000 from CDBG funds; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by the City Council was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: UPDATE ON COMPLIANCE WITH CDBG AND HOME
PROGRAM ACTIVITIES**

To receive an update on the City's compliance with Community Development Block Grant and HOME program activities.

(A report was received at the 6/5/03 Work Session)

SUBJECT: STATE DEPARTMENT OF REVENUE

To authorize the Mayor to send a letter on behalf of Council objecting to the closing of the Department of Revenue's Durham Field Office.

(A report was received at the 6/5/03 Work Session)

[ITEMS PULLED FROM CONSENT AGENDA]

SUBJECT: CONTRACTS

To authorize the City Manager to execute the list contracts as outlined below; and

To authorize the City Manager to make changes to contracts before execution as long as the changes do not increase the dollar amount and remain consistent with the general intent of the contracts.

Council Member Cole-McFadden expressed concern that the contract with HOPS

June 16, 2003

International from Orlando, Florida to provide customer service training is not a local firm.

Council held discussion on local attempts, low bidder and cost.

A motion was made by Council Member Clement seconded by Council Member Cole-McFadden to refer the HOPS International contract to the July 24, 2003 City Council Work Session.

Council Member Stith made a friendly amendment to refer this matter to the June 17, 2003 Special City Council Meeting. Friendly amendment was accepted.

MOTION by Council Member Clement seconded by Council Member Cole-McFadden to refer the HOPS International contract to the June 17, 2003 Special City Council Meeting was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Note: Council took further action on this item later in the meeting.

**SUBJECT: SALE OF CITY-OWNED PROPERTY AT BROADWAY STREET,
HUNT STREET AND MANGUM STREET**

Mayor Bell raised a concern with a Family Dollar being placed at the gateway into the community.

MOTION by Council Member Clement seconded by Council Member Stith to declare the property as surplus; and to accept Mr. Robert G. Simyon's offer of \$141,000 for the Broadway, Hunt and Mangum Streets property, a/k/a City Tracts 1894, 1901, 1902, 1903, 1904, 1905, 1924 and 1925 **FAILED** at 7:33 p.m. by the following vote: Ayes: Council Member Best. Noes: Mayor Bell and Council Members Clement, Cole-McFadden, Edwards and Stith. Excused Absence: Mayor Pro Tempore Cheek.

At this time during the meeting, additional action was taken on Consent Agenda Item #10 [Contracts].

SUBJECT: CONTRACTS

MOTION by Council Member Stith seconded by Council Member Cole-McFadden to authorize the City Manager to execute the contracts as outlined below; and

To authorize the City Manager to make changes to contracts before execution as long as the changes do not increase the dollar amount and remain consistent with the general intent of the contracts was approved at 7:34 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

June 16, 2003

Contractor	Contract Description	Dept	CT Amount
Sherron Road Ventures	Stormwater Maintenance & Facility Permit	PW	na
Triarc Food System	Stormwater Maintenance & Facility Permit	PW	na
Crest Street Community Council	Crest St Park & Patterson Rec Ctr Maintenance	PFM	\$ 9,000.00
Monique Fearrington	Walltown summer camp computer instructor	P&R	\$ 700.00
Melody Peters Rags to Riches	Plays for summer camp	P&R	\$ 287.50
Rachel Wilson	Computer inst Lyon Park summer camp	P&R	\$ 640.00
Carlene Morgan	Computer inst Lyon Park senior citizens	P&R	\$ 320.00
Aon Consulting	Review Health benefits proposals	HR	\$ 6,000.00
Victoria Hawkins	Cheerleading	P&R	\$ 1,400.00
Leslie Haskins	contract extension	P&R	na
Jennifer Watson	Ballet & Tap Dance	P&R	\$ 1,800.00
Louise Nieves	Teen Modeling	P&R	\$ 1,500.00
Charlotte Koren	senior exercise	P&R	\$ 1,600.00
Suzzette Goldman	aerobic instructor	P&R	\$ 1,200.00
Gaynell Sharpe	senior exercise	P&R	\$ 3,874.00
Trina Hymes	Aerobics	P&R	\$ 1,200.00
Darian Stokes	Youth Judo	P&R	\$ 4,000.00
Jacob Bouknight	Senior Square dance	P&R	\$ 1,200.00
JCORP	Summer concert series	P&R	\$ 1,250.00
Lawrence Burns	Hip Hop Dance	P&R	\$ 2,200.00
Charles Pettree	Summer concert series	P&R	\$ 500.00
Dereje Tesfaye	Summer concert series	P&R	\$ 400.00
Maria Rolls	Summer concert series	P&R	\$ 600.00
The Heaters	Summer concert series	P&R	\$ 700.00
Linda Tilley	Dog Obedience	P&R	\$ 7,000.00
Melody Peters Rags to Riches	Plays for summer camp	P&R	\$ 575.00
Ben Weber	Lifeguard instructor	P&R	\$ 1,000.00
Molly McMullen	Water exercise	P&R	\$ 1,500.00
Jennifer Strobel	Water safety/Lifeguard training	P&R	\$ 1,000.00
Brenda Thompson	Water exercise	P&R	\$ 1,500.00
Mary Beth Boxler	Water Safety	P&R	\$ 1,000.00
Russel Kretz	Swim club coach	P&R	\$ 2,000.00
Krista Phillips	water safety	P&R	\$ 1,000.00
Kendy Madden	Water exercise	P&R	\$ 1,500.00
Sheila Kendrick	Water exercise	P&R	\$ 2,000.00
Healing Water	water exercise	P&R	\$ 5,000.00
Shirley Torain	Softball Official	P&R	\$ 600.00
S&W Productions	Fireworks show 7/4/03	P&R	\$ 12,500.00

June 16, 2003

SUBJECT: TRANSIT ADVERTISING SERVICES – MEDIA TRANSIT INC.

To award the contract for transit advertising services to Media Transit Inc.; and

To authorize the City Manager to execute said contract on behalf of the City.

Richard Planke, representing Keystone Media, noted his organization was not given a fair opportunity to present credentials or support proposal. Also, he noted Keystone Media sent a letter to the administration indicating that they would be protesting this item; however, they never received any information back from the City regarding the procedure to follow.

City Manager Conner requested that this item be referred back to the administration.

MOTION by Council Member Clement seconded by Council Member Stith to refer this item to the administration with a recommendation to come back at the July 24, 2003 Special City Council Meeting was approved at 7:43 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

**SUBJECT: UPDATE ON JOHN AVERY BOYS & GIRLS CLUB –
BIRCHWOOD COMMUNITY CENTER**

To receive a presentation on an update on the Birchwood Community Center.

Ann Atwater, representing Birchwood Community, requested help to keep the Birchwood Community Center open due to repairs that need to be made.

Council Member Cole-McFadden asked staff how much would it cost to repair the building.

Acting Parks & Recreation Director Tim Grant noted an estimate of \$325,000 and informed Council that a structural engineering analysis costing \$2,500 should be completed first.

A motion was made by Council Member Clement seconded by Council Member Cole-McFadden to approve \$2,500 for a structural engineering analysis for Birchwood Community Center.

Council held discussion on what could be done for the youth during the interim and the transportation issue.

A friendly amendment was made by Council Member Stith to allocate funds from the utilities to provide transportation for the youth during the summer and after school.

June 16, 2003

Relative to the transportation issue, City Manager Conner noted it would be better to utilize the current contract with John Avery Boys and Girls Club to provide transportation services.

Mayor Bell noted the motions are to approve \$2,500 for a structural engineer evaluation and to provide bus transportation for the youth in the community to the John Avery Boys and Girls Club.

MOTION by Council Member Clement seconded by Council Member Cole-McFadden to receive a presentation on an update on the Birchwood Community Center; and

To approve \$2,500 for a structural engineer evaluation of the Birchwood Community Center with a recommendation to be provided at the July 24, 2003 Work Session; and

To provide bus transportation for the youth in the community to the John Avery Boys and Girls Club was approved at 8:01 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: UPDATE ON ROLLING HILLS

MOTION by Council Member Best seconded by Council Member Stith to authorize the City Manager to move forward on the redevelopment of Rolling Hills; and

To approve an expenditure not to exceed \$57,000 in order to complete the above specified work; and

To direct the Planning Department to initiate rezoning of the Rolling Hills site was approved at 8:01 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: DURHAM COMMUNITY LAND TRUSTEES – LANIER BLUM

Charlene Montford, Housing & Community Development Director, provided Council with an update on this item. She reported that correspondence received from the U S Department of Housing & Urban Development in Washington indicated that the Durham Community Land Trustees/EDI grant was not in compliance and that HUD would not be releasing funds to the City until the project was in compliance.

Council Member Best asked the administration to notify Durham Community Land Trustees to get the issue resolved.

MOTION by Council Member Best seconded by Council Member Clement to receive comments from Lanier Blum on DCLT-City agreements was approved at 8:03 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-

June 16, 2003

McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

[GENERAL BUSINESS AGENDA]

SUBJECT: FISCAL YEAR 2003-04 BUDGET MATTERS

Jessica Bunnel, representing Schoolhouse of Wonder, urged Council to reinstate \$16,000 deleted from the Parks & Recreation budget for the Schoolhouse of Wonder.

Andy Miller, representing the PBA, spoke in support of reinstating longevity at \$1,500 and thanked Council for the 2% COLA.

Arnold Dennis, of 103 Rippling Stream Drive, urged Council to reconsider funding for the Durham Business and Professional Chain.

Warren Herndon, of 1714 Chenault Drive, spoke in support of funding for the Durham Business and Professional Chain.

Budget Director Julie Brenman presented Council with ordinances and resolutions to be adopted in order to implement the budget for 2003-04 reflecting changes Council made at its Work Session.

Council Member Cole-McFadden asked staff why was the Durham Business and Professional Chain ineligible for funding.

Budget Director Julie Brenman noted they scored below the cut-off that the committee thought was adequate for funding. Also she read comments made by the committee.

Mayor Bell spoke in support of funding for the Durham Business and Professional Chain.

Council Member Cole-McFadden expressed concern about the new customer service division [311].

Mayor Bell asked that Items a, c, d e2 and h be held for discussion.

b) Durham Area Transit Authority (Data) Fares

MOTION by Council Member Clement seconded by Council Member Stith to adopt a resolution approving Durham Area Transit Authority Fares was approved at 8:34 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Resolution #9012

June 16, 2003

e) Capital Project Ordinance

1. **MOTION** by Council Member Edwards seconded by Council Member Stith to adopt the City of Durham General Capital Improvements Projects Ordinance FY 2003-04 was approved at 8:36 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Ordinance #12816

Note: Further discussion was held on e) 2. [Capital Project Ordinance] later in the meeting.

f) Grant Project Ordinances

MOTION by Council Member Clement seconded by Council Member Stith to adopt the following Grant Project Ordinances [1-14] was approved at 8:36 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

1. City of Durham Grant Project Ordinance FY 2003-04 Transit Planning Grants – **Ordinance #12818**
2. City of Durham Grant Project Ordinance FY 2002-03 Transit Capital Grant – **Ordinance #12819**
3. City of Durham and North Carolina Department of Transportation Section 104(f) and Section 133(b)(3)(7) Transportation Planning Grant Project Ordinance – FY 2003-2004. **Ordinance #12820**
4. City of Durham Employment and Training Grant Project Ordinance for Federal Grant July 1, 2003 – June 30, 2005. **Ordinance #12821**
5. City of Durham and the U.S. Department of Justice “Federal Asset Forfeiture Funds” Project Ordinance FY 2003-2004. **Ordinance #12822**
6. City of Durham and the State of North Carolina “Controlled Substance Abuse Funds” Project Ordinance FY 2003-2004. **Ordinance #12823**
7. City of Durham and the U.S. Department of Justice “Bullet Proof Vest Partnership” FY 2000-2001 Grant Project Ordinance. **Ordinance #12824**
8. City of Durham and State of North Carolina “Criminal Data Sharing Initiative” Grant Project Ordinance FY 2002-2004 (Revision to Ordinance No. 12599; Responsibility #1510310). **Ordinance #12825**

June 16, 2003

9. City of Durham and the Bureau of Alcohol, Tobacco and Firearms (ATF) Violent Crimes Task Force Grant Project Ordinance (Revision to Ordinance N. 12600; Responsibility #1510150). **Ordinance #12826**
10. City of Durham and the U.S. Department of Justice, Bureau of Justice Assistance, "Local Law Enforcement Block Grant" FY 2000-2001 Grant Project Ordinance (Revision to Ordinance No. 12459; Responsibility #1110005). **Ordinance #12827**
11. City of Durham and the U.S. Department of Justice, Bureau of Justice Assistance, "Local Law Enforcement Block Grant" FY 2001-2002 Grant Project Ordinance (Revision to Ordinance No. 12430; Responsibility #1110006). **Ordinance #12828**
12. City of Durham and the U.S. Department of Justice, Bureau of Justice Assistance, "Local Law Enforcement Block Grant" FY 2002-2003 Grant Project Ordinance (Revision to Ordinance No. 12682; Responsibility #110007). **Ordinance #12829**
13. City of Durham Grant Ordinance HOME Consortium Program FY 2003-2004. **Ordinance #12830**
14. City of Durham Grant Ordinance Community Development Block Grant 2003-2004. **Ordinance #12831**

a) Parks and Recreation Fee

Mayor Bell expressed concern about parents not signing up for summer camp and after school programs in the low wealth communities because they cannot afford the fee.

Acting Parks & Recreation Director Tim Grant noted all summer camps are at capacity except for W. D. Hill.

Council held discussion on summer camp capacity level and fee waivers.

Mayor Bell requested the administration to notify Council when enrollment is full at W. D. Hill Recreation Center.

Council Member Cole-McFadden asked staff if all the work has been completed at E. D. Mickle and is facility safe, decent and clean and what type of summer camp programs are available at the East Durham facility.

Tim Grant noted Property and Facility Management has finished all the work inside the facility but still have to work out the solution regarding the water outside. He also gave an overview of programs to include athletic, arts and crafts, board games and other activities at East Durham facility.

June 16, 2003

Budget Director Julie Brenman informed Council of a correction to the resolution noting the date should read September 3, 2002 instead of September 3, 2003.

MOTION by Council Member Stith seconded by Council Member Edwards to adopt a resolution superseding resolution #8679 approving Parks and Recreation Fee changes as amended was approved at 8:53 p.m. by the following vote: Ayes: Mayor Bell and Council Members Clement, Cole-McFadden, Edwards and Stith. Noes: Council Member Best. Excused Absence: Mayor Pro Tempore Cheek.

Resolution #9011

g) Financial Plans for Internal Service Funds

MOTION by Council Member Stith seconded by Council Member Edwards to adopt a resolution establishing FY 2003-04 Financial Plans for Internal Service Funds was approved at 8:54 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Resolution #9013

c) Water Service, Sewer Service and Water and Sewer Service

Budget Director Julie Brenman gave an overview of the following handouts: Comparison of Residential Water & Wastewater Charges, Comparison of Inside-City Combined Water & Sewer Charges in Region J and Water & Sewer Rate Increase (Scenario 1 and 2).

Mayor Bell asked the administration to examine water and sewer rates to determine: 1) are there any other efficiencies that we can get out of the operation of that facility; and 2) to find out what Winston Salem is currently doing that Council might be able to adopt. The Mayor noted he reluctantly would be voting to support rate increases proposed.

Council Member Stith raised a concern with this item relative to the debt service.

Council Member Best raised a concern with \$3 million being removed from water and sewer fund.

MOTION by Council Member Clement seconded by Council Member Edwards to adopt an ordinance amending Durham City Code Section 23-41, Monthly Rates for Water Service, Sewer Service, and Water and Sewer Service [as printed on agenda] **FAILED** at 9:16 p.m. by the following vote: Ayes: Mayor Bell and Council Members Clement and Edwards. Noes: Council Members Best, Cole-McFadden and Stith. Excused Absence: Mayor Pro Tempore Cheek.

After further discussion on this item, the following vote was taken.

June 16, 2003

MOTION by Council Member Clement seconded by Council Member Edwards to adopt an ordinance amending Durham City Code Section 23-41, Monthly Rates for Water Service, Sewer Service, and Water and Sewer Service [as printed on agenda] was approved at 9:39 p.m. by the following vote: Ayes: Mayor Bell and Council Members Clement, Cole-McFadden and Edwards. Noes: Council Members Best and Stith. Excused Absence: Mayor Pro Tempore Cheek.

Ordinance #12815

e) Capital Project Ordinance

2. **MOTION** by Council Member Clement seconded by Council Member Edwards to adopt the City of Durham Water and Wastewater Capital Improvements Projects Ordinance Fiscal Year 2003-04 was approved at 9:41 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden and Edwards. Noes: Council Member Stith. Excused Absence: Mayor Pro Tempore Cheek.

Ordinance #12817

d) Non-City Agency

To authorize the City Manager to execute Non-City Agency contracts and to make amendments to the Non-City Agency contracts that do not increase the contract sum.

City Manager Conner noted if Council wants to consider funding for the Durham Business and Professional Chain and Schoolhouse of Wonder it should come from Council's contingency so that the bottom line of the budget would remain the same.

Budget Director Julie Brenman distributed handout [Non City Agencies Funding FY 2003-04] to Council. She highlighted two scenarios with different funding levels and made comments about the Carolina Theatre funding level based on management agreement.

Council held discussion on the contingency fund, funding level for DBPC, Schoolhouse of Wonder and Carolina Theatre.

MOTION by Council Member Cole McFadden seconded by Council Member Stith to authorize the City Manager to execute Non-City Agency contracts under Scenario #1 at the same level with the exception of the Carolina Theatre [increase to \$495,758]; Arc of Durham [reduce to \$5,000]; to add Durham Business and Professional Chain [\$11,580] and an additional amount for Schoolhouse of Wonder [\$16,000] to be funded out of Council's contingency as recommended below; and

To make amendments to the Non-City Agency contracts that do not increase the contract sum was approved at 9:57 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

June 16, 2003

32 Agencies Proposed Funding		Scenario 1 FINAL BUDGET
Durham Crimestoppers		\$ 28,950
Durham Affordable Housing		77,200
Historic Preservation Society of Durham		29,915
The Durham Symphony, Inc.		23,000
African American Dance Ensemble		32,000
Durham Arts Council, Inc.		564,021
St. Joseph's Historic Foundation		283,801
TROSA		23,750
Sisterhood Agenda		4,825
Durham Literacy Center		20,000
Mallarme Chamber Players		14,475
Durham Central Park, Inc.		5,000
SEEDS		6,755
Walltown Children's Theatre		20,000
The Durham Art Guild		4,825
Durham Crisis Response Center		24,125
Small Business & Tech Developm't Ctr		32,000
Downtown Durham, Inc.		134,027
Girls Scouts		5,000
Durham Community Penalties Program		23,722
ARC of Durham		5,000
Bridges Pointe Foundation		9,650
Project Graduation		9,650
Durham Striders		38,600
Center for Documentary Studies		9,650
El Centro Hispano		35,705
Durham P.R.O.U.D.		19,300
Schoolhouse of Wonder		30,475
DB&PC: Rites of Passage		11,580
Volunteer Center of Greater Durham		9,650
Durham Business & Professional Chain		11,580
Carolina Theatre		495,758
Total NCA funding for FY 03-04		\$ 2,043,989

h) City of Durham Budget Ordinance

Mayor Bell made comments about the one-cent dedication to the downtown fund.

Budget Director Julie Brenman noted the budget reflects shifting \$214,118 from the Downtown Business Assistance Fund to the Downtown Revitalization Fund to make a full penny on tax rate going to the Downtown Revitalization Fund and would reduce the

June 16, 2003

amount of money available for loans from the Downtown Business Assistance Fund from about \$750,000 to \$535,000.

MOTION by Council Member Stith seconded by Council Member Clement to adopt the 2003-04 City of Durham Budget Ordinance as amended was approved at 9:59 p.m. by the following vote: Ayes: Mayor Bell and Council Members Clement, Cole-McFadden, Edwards and Stith. Noes: Council Member Best. Excused Absence: Mayor Pro Tempore Cheek.

Ordinance #12814

MOTION by Council Member Best seconded by Council Member Edwards to extend the meeting beyond 10:00 p.m. was approved at 10:00 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: ASSIGNMENT OF YARD WASTE COMPOSTING CONTRACT – HENSONS' INC. - JOHN H. WILSON & SON GRADING AND PAVING, INC.

MOTION by Council Member Clement seconded by Council Member Edwards to authorize the City Manager to execute an agreement to assign the Yard Waste Contract from Hensons', Inc. to John H. Wilson & Son Grading and Paving, Inc.; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by City Council was approved at 10:02 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Edwards and Stith. Noes: Council Member Cole-McFadden. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: FEDERAL AVIATION ADMINISTRATION GRANT OFFER – RALEIGH-DURHAM AIRPORT

MOTION by Council Member Clement seconded by Council Member Stith to accept the Federal Aviation Administration grant offer of \$13,156,671 for General Aviation Redevelopment, Phase III, RDU 080333, and Airport Security Fence, RDU 080459, FAA AIP Grant Number 3-37-0056-29; and

To authorize the City Manager to execute the Grant Agreement and to authorize the City Attorney to give assurances with respect thereto; and

To authorize the City Manager and City Attorney to make minor changes to the Grant Agreement was approved at 10:03 p.m. by the following vote: Ayes: Mayor Bell and

June 16, 2003

Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

[GENERAL BUSINESS AGENDA - PUBLIC HEARINGS]

SUBJECT: DUKE POWER FRANCHISE EXTENSION

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Stith seconded by Council Member Edwards to receive public comments, and

To adopt an ordinance extending for one year the existing franchise with Duke Power Company to provide electric service within the City of Durham was approved at 10:05 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Ordinance #12812

SUBJECT: ORDERING PETITIONED IMPROVEMENT – CHICAGO STREET *(continued from May 5, 2003 City Council Meeting)*

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Stith seconded by Council Member Clement to receive public comments; and

To adopt a resolution ordering Curb, Gutter and Paving, Sewer Main and Water and Sewer Laterals on Chicago Street from Collier Street North to South Property Line of Tax Map 405-1-17 was approved at 10:05 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: AMERICAN TOBACCO CERTIFICATES OF PARTICIPATION

MOTION by Council Member Stith seconded by Council Member Clement to hold a public hearing on July 24, 2003 at 1:00 p.m. to receive public comments concerning the execution and delivery by the City of the proposed COPs was approved at 10:06 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-

June 16, 2003

McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: FIRE PREVENTION CONSTRUCTION PERMITS AND PLAN REVIEW FEES

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Stith seconded by Council Member Edwards to adopt an ordinance to amend Section 6-31 of the Durham City Code (Schedule of Fees) regarding certain Zoning, Building, and Inspection Regulations and Fee Schedules was approved at 10:06 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Ordinance #12813

[ITEMS ADDED TO THE AGENDA]

SUBJECT: LAND LEASE AGREEMENT AMENDMENT NUMBER 3 – NORTH CAROLINA MUSEUM OF LIFE AND SCIENCE, INC.

MOTION by Council Member Clement seconded by Council Member Stith to approve Amendment Number 3 to the lease agreement between the City of Durham and the North Carolina Museum of Life and Science; and

To authorize the City Manager to make changes that do not affect the intent and purpose of the lease was approved at 10:07 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: ADULT DISLOCATED WORKER AMENDMENT – EMPLOYMENT SECURITY COMMISSION

MOTION by Council Member Cole-McFadden seconded by Council Member Stith to amend the Dislocated Worker contract with the Employment Security Commission to provide an additional \$164,514 and the adult contract be amended to provide an additional \$106,591 was approved at 10:07 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: CONTRACT EXTENSION – CAPITOL LINK, INC. –

June 16, 2003

AMENDMENT NUMBER ONE

MOTION by Council Member Stith seconded by Council Member Edwards to authorize the City Manager to execute contract amendment number one to the agreement for Government Affairs Services between the City of Durham and Capitol Link, Inc. which allows for services under this contract to continue until and through August 31, 2003 and clarifies the payment terms was approved at 10:09 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: CONTRACT WITH NORTH CAROLINA CENTRAL UNIVERSITY, DEPARTMENT OF HEALTH EDUCATION – TECHNOLOGY EDUCATION SERVICES – TOP CAT

MOTION by Council Member Cole-McFadden seconded by Council Member Stith to approve the contract for service with North Carolina Central University, Department of Health Education for a total cost of \$4,900.00 to deliver technology education to senior and youth residents of the North East Central Durham Weed and Seed Community was approved at 10:10 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

SUBJECT: TRANSFER OF \$2,200 TO SISTER CITIES OF DURHAM

MOTION by Council Member Cole-McFadden seconded by Council Member Stith to approve the transfer of \$2,200 from the Office of Economic and Employment Development Department's budget to help fund activities of the Durham, England subcommittee of Sister Cities of Durham was approved at 10:10 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Excused Absence: Mayor Pro Tempore Cheek.

Several members of Council made comments about the budget.

Council Member Clement requested the administration to limit the Coffee with Council sessions to five next year and to include the Latino community at every Coffee with Council rather than having a separate meeting.

City Manager Conner thanked staff and everyone involved in the budget process.

June 16, 2003

There being no further business to come before the City Council, the meeting was adjourned at 10:15 p.m.

Linda E. Bratcher
Deputy City Clerk

D. Ann Gray, CMC
City Clerk